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14 Attorneys for Defendants
15 HELLER EHRLMAN, LLP;
16 HELLER EHRLMAN LONG TERM
17 DISABILITY PLAN; and
18 UNUM LIFE INSURANCE COMPANY
19 OF AMERICA

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

17 PATRICIA FORTLAGE,) CASE NO.: C 08-03406 SBA DMR
18 Plaintiff,)
19 vs.)
20 HELLER EHRLMAN LLP; HELLER)
21 EHRLMAN LONG TERM DISABILITY)
22 PLAN; and UNUM LIFE INSURANCE CO.)
23 OF AMERICA,)
24 Defendants.)
25 _____)

26 Plaintiff Patricia Fortlage, and Defendants Heller Ehrman LLP, Heller Ehrman Long
27 Term Disability Plan, and Unum Life Insurance Company of America, by and through their
respective counsel of record, hereby stipulate to modify the Court's Scheduling Order to

1 extend the briefing schedule for filing of Cross Motions for Judgment under Rule 52,
2 FRCP, including opposition and reply briefs. This Stipulation is necessary because of the
3 following facts:

- 4 1. The parties mediated the matter in March 2011. The matter did not settle at that
5 time.
- 6 2. Subsequently, the mediator has maintained telephone contact with the parties
7 through counsel. The most recent communications occurred in January 2012.
- 8 3. As a result of those communications, the parties now believe that a further
9 mediation session would be productive. The earliest mutually convenient date
10 upon which the parties could agree for a mediation session involving personal
11 appearance by the parties is February 28, 2012.
- 12 4. The current briefing schedule requires the parties to file Cross Motions for
13 Judgment no later than February 7, 2012. Opposition briefs are due February
14 21, 2012. Reply briefs are due February 28, 2012.
- 15 5. The parties would like the opportunity to make one more effort to resolve the
16 case before submitting the cross motions to the Court

17 By reason of the foregoing, the parties hereby stipulate that pursuant to Fed. R. Civ.
18 Pro. Rule 16(b)(4), good cause exists to modify the Court's Scheduling Order . The Court
19 is respectfully requested to extend the time for the parties to file their Cross Motions for
20 Judgment to March 27, 2012, with Opposition briefs due no later than April 10, 2012 and
21 Reply briefs due no later than April 17, 2012. As the Court has set no other dates for
22 Pretrial or Trial, the parties believe no other dates are affected by this Stipulation.

23 DATED: January ___, 2012

GREEN & HUMBERT

25 By: /s/ Horace W. Green
26 Horace W. Green

27 Attorneys for Defendants

28 STIPULATION AND PROPOSED ORDER MODIFYING SCHEDULING ORDER
Case No. C 08-03406 SBA DMR

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2 DATED: January ___, 2012
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LAW OFFICE OF GEOFFREY V. WHITE

4 By: /s/ Geoffrey V. White
5 Geoffrey V. White

6 Attorneys for Plaintiff
7

8 **ORDER DENYING**
9

10 Pursuant to the above Stipulation, the Court finds good cause to modify the existing
11 Scheduling Order as follows: The parties shall file their Cross-Motions for Judgment no
12 later than March 27, 2012; Opposition papers shall be filed no later than April 10, 2012;
13 and any Reply papers shall be filed no later than April 17, 2012.

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15 Dated: 2/1/12

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17 Saundra Brown Armstrong
United States District Judge
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STIPULATION AND PROPOSED ORDER MODIFYING SCHEDULING ORDER
Case No. C 08-03406 SBA DMR